

## Coast Guard, DHS

## § 165.1327

(C) Number of persons onboard the vessel, and

(D) Vessel destination.

(6) All persons and vessels within the regulated navigation areas established in paragraph (a) of this section must comply with the orders of Coast Guard personnel. Coast Guard personnel include commissioned, warrant, and petty officers of the United States Coast Guard.

[USCG–2008–1017, 74 FR 59101, Nov. 17, 2009, as amended at 75 FR 10688, Mar. 9, 2010; 75 FR 18055, Apr. 9, 2010; 75 FR 41988, July 20, 2010]

### § 165.1326 Regulated Navigation Areas; Port of Portland Terminal 4, Willamette River, Portland, OR.

(a) *Regulated navigation areas.* Each of the following areas is a regulated navigation area:

(1) All waters of the Willamette River in the head of the Port of Portland's Terminal 4 Slip 3, encompassed by a line commencing at 45° 36' 01.861" N/122° 46' 20.995" W thence to 45° 36' 01.455" N/122° 46' 20.887" W thence to 45° 36' 00.993" N/122° 46' 20.714" W thence to 45° 36' 00.725" N/122° 46' 20.923" W thence to 45° 36' 00.731" N/122° 46' 21.262" W thence to 45° 36' 00.712" N/122° 46' 21.823" W thence to 45° 36' 01.230" N/122° 46' 22.048" W thence to 45° 36' 01.651" N/122° 46' 22.168" W thence to 45° 36' 01.684" N/122° 46' 22.372" W thence to 45° 36' 01.873" N/122° 46' 22.303" W thence to 45° 36' 02.065" N/122° 46' 21.799" W thence to 45° 36' 01.989" N/122° 46' 21.574" W thence to 45° 36' 01.675" N/122° 46' 21.483" W thence to 45° 36' 01.795" N/122° 46' 21.442" W thence to 45° 36' 01.861" N/122° 46' 20.995" W.

(2) All waters of the Willamette River in Wheeler Bay between Slip 1 and Slip 3 in the Port of Portland's Terminal 4, encompassed by a line commencing at 45° 36' 10.634" N/122° 46' 39.056" W thence to 45° 36' 10.269" N/122° 46' 37.140" W thence to 45° 36' 10.027" N/122° 46' 36.050" W thence to 45° 36' 09.722" N/122° 46' 34.181" W thence to 45° 36' 09.425" N/122° 46' 33.118" W thence to 45° 36' 08.960" N/122° 46' 32.150" W thence to 45° 36' 08.653" N/122° 46' 31.681" W thence to 45° 36' 08.191" N/122° 46' 31.341" W thence to 45° 36' 07.886" N/122° 46' 31.269" W thence to 45° 36' 07.517" N/122° 46' 31.038" W thence to 45° 36' 07.235" N/122° 46' 31.066" W thence to 45° 36' 07.040" N/122° 46' 30.941" W thence to 45° 36' 06.697" N/122° 46'

30.987" W thence to 45° 36' 06.509" N/122° 46' 31.251" W thence to 45° 36' 06.201" N/122° 46' 31.517" W thence to 45° 36' 06.081" N/122° 46' 1.812" W thence to 45° 36' 06.550" N/122° 46' 32.124" W thence to 45° 36' 06.970" N/122° 46' 31.895" W thence to 45° 36' 07.172" N/122° 46' 31.868" W thence to 45° 36' 07.883" N/122° 46' 32.316" W thence to 45° 36' 08.370" N/122° 46' 32.927" W thence to 45° 36' 08.775" N/122° 46' 33.888" W thence to 45° 36' 09.121" N/122° 46' 35.337" W thence to 45° 36' 09.230" N/122° 46' 36.166" W thence to 45° 36' 09.442" N/122° 46' 37.759" W thence to 45° 36' 09.865" N/122° 46' 39.511" W thence to 45° 36' 10.421" N/122° 46' 39.469" W thence to 45° 36' 10.634" N/122° 46' 39.056" W.

(b) *Regulations.* All vessels are prohibited from anchoring, dragging, dredging, or trawling in the regulated navigation areas established in paragraph (a) of this section.

[USCG–2009–0370, 75 FR 20525, Apr. 20, 2010]

### § 165.1327 Security Zone; escorted U.S. Navy submarines in Sector Seattle Captain of the Port Zone.

(a) *Location.* The following area is a security zone: All waters within 1000 yards of any U.S. Navy submarine that is operating in the Sector Puget Sound Captain of the Port Zone, as defined in 33 CFR Section 3.65–10, and is being escorted by the Coast Guard.

(b) *Regulations.* In accordance with the general regulations in 33 CFR Section 165, Subpart D, no person or vessel may enter or remain in the security zone created by paragraph (a) of this section unless authorized by the Coast Guard patrol commander. The Coast Guard patrol commander will coordinate with Vessel Traffic System users on a case-by-case basis to make appropriate passing arrangements under the circumstances. 33 CFR Section 165, Subpart D, contains additional provisions applicable to the security zone created in paragraph (a) of this section.

(c) *Notification.* The Coast Guard security escort will attempt, when necessary and practicable, to notify any persons or vessels inside or in the vicinity of the security zone created in

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paragraph (a) of this section of its existence via VHF Channel 16 and/or any other means reasonably available.

[USCG–2009–1057, 75 FR 28204, May 20, 2010, as amended by USCG–2010–0351, 75 FR 47212, Aug. 5, 2010]

**§ 165.1328 Regulated Navigation Area; U.S. Navy submarines, Hood Canal, WA.**

(a) *Location.* The following area is a regulated navigation area (RNA): All waters of the Hood Canal in the State of Washington whenever any U.S. Navy submarine is operating in the Hood Canal and is being escorted by the Coast Guard. For purposes of this section, “Hood Canal” means all waters of Hood Canal, including Dabob Bay, located between two lines with the first line connecting positions 47°37.9’ N, 122°57.1’ W and 47°37.9’ N, 122°52.9’ W and the second line connecting positions 48°00.7’ N, 122°41.0’ W and 47°56.4’ N, 122°36.9’ W

(b) *Regulations.* All persons and vessels located within the RNA created by paragraph (a) of this section shall follow all lawful orders and/or directions given to them by Coast Guard security escort personnel. 33 CFR Section 165, Subpart B, contains additional provisions applicable to the RNA created in paragraph (a) of this section.

(c) *Notification.* The Coast Guard security escort will attempt, when necessary and practicable, to notify any persons or vessels in the RNA created in paragraph (a) of this section of its existence via VHF Channel 16 and/or any other means reasonably available.

[USCG–2009–1058, 75 FR 27640, May 18, 2010]

**§ 165.1329 Regulated Navigation Area; Thea Foss and Wheeler-Osgood Waterways EPA Superfund Cleanup Site, Commencement Bay, Tacoma, WA.**

(a) *Regulated areas.* The following areas are regulated navigation areas:

(1) All waters of the Thea Foss Waterway bounded by a line connecting the following points: Point 1: 47°15’43.49” N, 122°26’23.29” W; Point 2: 47°15’44.59” N, 122°26’19.89” W; Point 3: 47°15’39.01” N, 122°26’15.99” W; Point 4: 47°15’37.91” N, 122°26’19.39” W. [Datum: NAD 1983].

(2) All waters of the Thea Foss Waterway bounded by a line connecting the following points: Point 1: 47°15’22.74” N, 122°25’57.15” W; Point 2: 47°15’22.52” N, 122°26’0.18” W; Point 3: 47°15’18.05” N, 122°25’59.48” W; Point 4: 47°15’18.26” N, 122°25’56.45” W. [Datum: NAD 1983].

(3) All waters of the Thea Foss and Wheeler-Osgood Waterways south of a line bounded by connecting the following points: Point 1: 47°15’13.94” N, 122°26’05.56” W; Point 2: 47°15’15.01” N, 122°25’55.14” W. [Datum: NAD 1983].

(b) *Regulations.* (1) All vessels and persons are prohibited from activities that would disturb the seabed, such as anchoring, dragging, trawling, spuding, or other activities that involve disrupting the integrity of the sediment caps installed in the designated regulated navigation area, pursuant to the remediation efforts of the U.S. Environmental Protection Agency (EPA) and others in the Thea Foss and Wheeler-Osgood Waterways EPA superfund cleanup site. Vessels may otherwise transit or navigate within this area without reservation.

(2) The prohibition described in paragraph (b)(1) of this section does not apply to vessels or persons engaged in activities associated with remediation efforts in the Thea Foss or Wheeler-Osgood Waterways superfund sites, provided that the Captain of the Port, Puget Sound (COTP), is given advance notice of those activities by the EPA.

(c) *Waiver.* Upon written request stating the need and proposed conditions of the waiver, and any proposed precautionary measures, the COTP may authorize a waiver from this section if the COTP determines that the activity for which the waiver is sought can take place without undue risk to the remediation efforts described in paragraph (b)(1) of this section. The COTP will consult with EPA in making this determination when necessary and practicable.

[USCG–2008–0747, 75 FR 76281, Dec. 8, 2010]

**§ 165.1330 Safety Zone; Fleet Week Maritime Festival, Pier 66, Elliott Bay, Seattle, Washington.**

(a) *Location.* The following area is a safety zone: All waters extending 100 yards from Pier 66, Elliott Bay, WA